

ATTACHMENT A

AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Frank H. Figgers, III, Task Force Officer, United States Postal Inspection Service, having been duly sworn under oath, state as follows:

1. Your affiant is a certified police officer employed full time with the Virginia State Police and holds the rank of Special Agent. I am currently assigned as a Task Force Officer with the United States Postal Inspection Service (“USPIS”) in the Roanoke, Virginia Domicile. I am authorized to investigate criminal and civil matters related to the United States Postal Service and the mails; serve warrants and subpoenas; make arrests; carry firearms; make seizures of property; administer oaths; and perform such other official duties as may be established by the Chief Postal Inspector. I have been employed as a sworn officer with the Virginia State Police since January 1989 and have worked the drug interdiction arena with the Virginia State Police since 2003. My work has included highway drug interdiction and parcel interdiction at other commercial parcel businesses. I have received formal training in conducting criminal investigations into drug trafficking and money laundering organizations that utilize the United States Postal Service (“USPS”). During my tenure as a Special Agent, I have conducted and participated in numerous investigations of criminal activity that have violated both federal and state law.

2. I know based on training and experience that the U.S. Mail is often used by drug trafficking organizations to transport controlled substances and proceeds from the sale of controlled substances. I know based on training and experience that USPS Priority Mail and Priority Mail Express are commonly used to transport controlled substances, and drug trafficking

proceeds, because drug traffickers can track parcels, control dispatch times and locations, and have a guarantee of delivery in one to three days.

3. This affidavit is submitted in support of an application for a search warrant of a USPS Priority Mail Express parcel bearing tracking number “EI 348 429 052 US” for controlled substances and/or the proceeds from drug trafficking. The parcel (hereafter referred to as Parcel #1) is described as follows:

- a. Addressee: Kristian Feomaia, 17216 Saticoy Street #303, Lake Balboa, CA 91406
- b. Return Address: Noah Johnson, 2122 Johnson Mill Rd., Vernon Hill, VA 24597
- c. Postage Affixed: Origin: 24597; Postage: \$26.95; Date: AUG 9, 2022
- d. Tracking Number: EI 348 429 052 US
- e. Description: USPS Priority Express Flat Rate Envelope 12.5 x 9.5 bearing a USPS Priority Mail Express label
- f. Weight: 15 ounces

4. On August 9, 2022, Parcel #1 was identified as a suspected drug proceeds parcel during outbound interdiction and subsequently retrieved from the mail stream. Parcel #1 is a white USPS Priority Express Flat Rate Envelope bearing a USPS Priority Mail Express label and addressed to Lake Balboa, California. California is a known source area for drug parcels mailed into the Western District of Virginia and conversely, a known destination area for parcels containing drug proceeds. Parcel #1 was paid with cash and mailed from the South Boston Post Office located in South Boston, Virginia. A photograph of Parcel #1 is attached as Exhibit #1.

5. A search of postal records for both the sender and recipient addresses shows one (1) previous parcel was mailed to 17216 Saticoy Street #303, Lake Balboa, CA from 2131 Johnson Mill Rd., Vernon Hill, VA 24597 on July 7, 2022. This parcel listed the same shipper and recipient

information as Parcel #1 except in a change of the street number of “2131” for Johnson Mill Road. A search of postal business records indicates that “2122” and “2131” Johnson Mill Road, Vernon Hill, VA 24597 are not deliverable addresses in the postal system. Both Johnson Mill Road addresses appear to be fictitious.

6. Your affiant made inquiries via CLEAR, an electronic database that has proven reliable in previous investigations in determining the legitimacy of name, address, and phone number information. “Noah Johnson” could not be associated to the sender address, 2122 Johnson Mill Road, Vernon Hill, VA 24597. Furthermore, “Noah Johnson” could not be associated to any other address in the Vernon Hill area.

7. The recipient, “Kristian Feomaia” was unable to be associated to the destination address of 17216 Saticoy Street #303, Lake Balboa, CA 91406. This address is a commercial mail receiving agency (CMRA) business that provides a private post office box service through the US Postal Service. This business is operating as a UPS Store in a shopping center located on Saticoy Street in Lake Balboa, California. CLEAR reports that a “Kristian Feomaia” resides at 823 W. Gage Avenue, Los Angeles, California 90044 as recently as August 2022. The W. Gage Avenue address and Saticoy Street addresses are separated by approximately twenty-seven (27) miles. Based on your affiant’s training and experience, drug traffickers will often use these businesses when mailing parcels containing drug proceeds in order to conceal the true identity or association of the involved parties from law enforcement should the parcel and proceeds be seized.

8. On August 10, 2022, your affiant took possession of Parcel #1 and requested a narcotic detection canine from the Virginia State Police (VSP). Trooper T.W. Fridley, and his narcotic detection canine, “BOSS,” responded to the USPS Roanoke Processing and Distribution

Center located at 419 Rutherford Avenue NE, Roanoke, Virginia 24022. Parcel #1 was placed in a parcel line-up, consisting of Parcel # 1 and randomly selected parcels, and then subjected to an exterior search by Canine “BOSS.” Trooper Fridley advised your affiant that Canine “BOSS” positively alerted to Parcel #1 at approximately 11:55 a.m. According to Trooper Fridley, this positive alert meant Canine “BOSS” detected presence of the odor of an illegal drug emanating from Parcel #1. A supporting affidavit of the narcotics detection training completed by Trooper Fridley and Canine “BOSS” is provided as Exhibit #2.

9. At this time, Parcel #1 is located at the USPIS-Roanoke Domicile in the Western District of Virginia. The parcel has been maintained unopened, in my custody, pending application for a search warrant.

10. Based on the facts set forth in this affidavit, I respectfully submit that probable cause exists to believe that the USPS Priority Mail Express parcel bearing tracking number “EI 348 429 052 US,” addressed to “Kristian Feomaia, 17216 Saticoy Street #303, Lake Balboa, California 91406” bearing a return address of “Noah Johnson, 2122 Johnson Mill Road, Vernon Hill, VA 24597” contains controlled substances, and/or the proceeds which are evidence thereof, and/or contraband, in violation of Title 21, United States Code, Sections 841(a)(1) and 843(b).

Frank H. Figgers, III
Frank H. Figgers, III
Task Force Officer, USPIS

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by reliable electronic means; specifically, by telephone, on the 11th day of August 2022.

Robert S. Ballou

The Honorable Robert S. Ballou
United States Magistrate Judge
Western District of Virginia